REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claim 1 to correct syntax and clarify language of the claim. The Applicant respectfully submits no new matter has been added. Accordingly, claims 1-2, 4-10 and 12-16 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-2, 4, 9-10 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gai et al (US 6,167,445; hereinafter referred to as 'Gai') in view of Lavian et al. (US 2004/0076161; hereinafter referred to as 'Lavian'). The Applicant respectfully traverses the rejection of these claims.

The present invention discloses a method and module for routing VOIP emergency calls in a VLAN network. A range of specific port numbers used by VOIP devices are reserved for handling emergency phone calls. When an emergency call is sent over a VLAN, any VLAN aware device that detects the packets with the emergency port number increases the priority of the packet (for example, from 6 to 7) (fig. 8, lines 21-28). The packet already has an associated priority value present in the user priority field of the packet. The combination of the value of the priority field and the port number falling in the specific range, as noted above, causes the VLAN to send the packets to a higher priority queue than indicated by the priority field, to handle the emergency call promptly.

The Gai reference is cited for disclosing the limitations of claims 1 and 9 of the Applicant's present invention. The rejection of the individual limitations is discussed as follows:

reserving a range of specific port numbers for use during emergencies: The Applicant has reviewed the cited portion of the Gai reference and finds that Gai describes assigning frames to different queues of <u>a destination</u> port based on a frame's priority value (Col. 2, lines 43-46). In contrast the present invention allows emergency

calls to be <u>transmitted</u> over a designated and reserved <u>range of ports</u>. The preferred range for these ports is numbers greater than 20,000 (Figure 8, page 15). The Gai reference does not detect the port from which the call is transmitted.

detecting a call within the VLAN having a port number <u>falling within said range of specific port numbers</u>. The Applicant has reviewed the referenced portions of the cited reference. The ports referred to in the Gai reference are selected dynamically by an application program executing at the sending <u>and</u> receiving devices at the time the communication session is established (col. 14, lines 33-39). Though reserving a range of specific port numbers for emergencies is not taught or suggested, the Gai reference does mention that network administrators "adjust parameters ... for emergency situations." The parameters referred to are parameters under which particular *networks* operate at particular times (Col. 12, lines 19-24). The Applicant respectfully submits that "adjusting the parameters" is not the same as assigning a specific range of port numbers to emergency calls (Figure 8, page 15);

classifying the call as an emergency call. The Applicant respectfully submits that the Applicant's invention discloses determining that a call is an emergency call by detecting the port number, in a MAC header, from which the call has been transmitted. If the port number detected is greater than 20,000 then the call is an emergency call. The Gai reference is cited as disclosing this feature. However, the referenced portion was reviewed and the Applicant respectfully asserts that the use of a Differentiated Services Codepoint (DSCP) is not the same as designating a port number. The DSCP of Gai is for working over networks and the Applicant's invention is for use in a VLAN aware network. In the Applicant's invention, the port number of the transmission is included in the MAC header and a VoIP device detects the port number and determines whether the port number is designated for emergencies. The Information in MAC-layer frames, in which the port number is found, would be lost if the frame crosses a router and which would happen in the Gai disclosed invention. The Applicant respectfully submits that Gai does not teach using the port number to classify a call.

increasing routing of the emergency call packets to a queue requiring a higher priority than the actual priority value of the emergency call. If the port number from

which a packet is transmitted is determined to be an emergency designated port, the priority value of the packet is raised. The Applicant agrees with the Examiner, that the Lavian reference teaches changing one type of packet traffic from a queue having a first priority to a queue having a second priority. However, Lavian does not detect the emergency status of a call by determining the transmission port number nor does Lavian provide the other limitations missing from the Gai reference as noted above. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 1 and the analogous claim 9. Also, since claims 2, 4, 10 and 12 depend from the respective independent claims, the withdrawal of the rejection of the depending claims is also requested.

Claims 5-8 and 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gai et al (US 6,167,445) in view of Lavian et al. (US 2004/0076161) as applied to claims 1-2, 4, 9-10 and 12 above, and further in view of Schuster et al. (US 6,625, 119; hereinafter referred to as 'Schuster'). The Applicant respectfully traverses the rejection of these claims.

The Schuster reference discloses a method and system for increasing call traffic in a packet switched network in emergency mode. Essentially, Schuster discloses detecting an emergency by surges in incoming media streams and conventional traffic surges such as during a natural disaster (Abstract). Schuster is cited for disclosing the nature of the emergency. However, the combination of Gai, Lavian and Schuster fails to teach: 1) reserving a range of port numbers for use during emergencies, 2) detecting the port number of an emergency transmission, and 3) classifying the call as an emergency call according to the detected port number. The Applicant respectfully requests that the rejection of claims 5-8 and 13-16 be withdrawn.

Prior Art Not Relied Upon

In paragraph 6 on page 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,
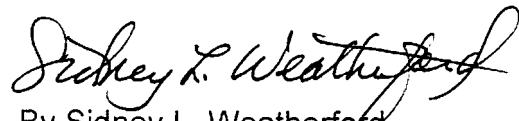
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